

**Notice of Allowability**

Application No.

10/624,197

Examiner

Louis K. Huynh

Applicant(s)

ROMAGNOLI, ANDREA

Art Unit

3721

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the communication filed 07/22/2003.
2. ☒ The allowed claim(s) is/are 1-21.
3. ☒ The drawings filed on 22 July 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>3/15/03</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                              | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Steven Haas (37,841) on August 20, 2004.
3. The application has been amended as follows:

***In claim 1:***

“to turn them so that they lie in substantially the same plane as” (lines 8-9) has been changed to: --in a first orientation, to turn the filter bags to a second orientation so that the filter bags lie in a plane substantially parallel to--;

“paper” (line 13) has been deleted;

“them” (line 14) has been changed to: --the filter bags--

***In claim 2:***

“the placement plane of each” (lines 4-5) has been changed to: --each of the filter bags--;

“them” (line 12) has been changed to: --the filter bags--;

“them” (line 13, both occurrences) has been changed to: --the filter bags--.

***In claim 5:***

“claim 1” (line 2) has been changed to: --claim 2--.

***In claim 6:***

“the sealed join” (line 5) has been changed to: --a bottom sealed joint--.

***In claim 7:***

“bottom sealed join” (line 3) has been changed to: --bottom sealed joint--.

***In claim 8:***

“sealed join” (line 5) has been changed to: --sealed joint--;

“them” (line 7) has been changed to: --the pressers--;

“it” (line 10) has been changed to: --the bottom fold--.

***In claim 11:***

“common sealed join” (line 4) has been changed to: --bottom sealed joint--.

***In claim 14:***

“the” (line 3) has been deleted

“they” (line 10) has been changed to: --the levers--.

***In claim 16:***

“it” (line 6) has been changed to: --the filter bag--.

***In claim 21:***

“its” (line 5) has been changed to: --the web--.

4. ***The following is an examiner’s statement of reasons for allowance:*** the prior art of record fails to disclose and/or teach an apparatus for automatically and continuously forming envelopes to contain filter bags for an infusion product that comprises in combination means for forming the envelopes and means for manipulating the filter bags or an equivalent thereof; wherein the means for forming envelopes fold a web of packaging material longitudinally to

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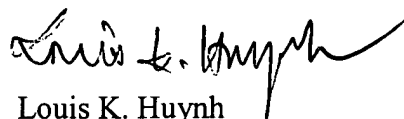
define to adjacent web flaps, and wherein the means for manipulating the envelopes receive the filter bags in succession in a first orientation, turn the filter bags to a second orientation so that the filter bag lie in a plane substantially parallel to the web flaps, move the filter bags along a feed path substantially centered relative to the web flaps and in the same direction as the web flaps, and release the filter bags to place the filter bags between the flaps of the web.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Louis K. Huynh whose telephone number is (703) 306-5694.

7. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Louis K. Huynh  
Patent Examiner  
Art Unit 3721

August 20, 2004